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November 5, 2020

**VIA ECF**

The Honorable Ronnie Abrams  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room  
New York, New York 10007

Re: Building Service 32BJ Health Fund, Building Service 32BJ Legal Services Fund, Building Service 32BJ Thomas Shortman Training, Scholarship and Safety Fund, as Plaintiffs, -v.- Discovery Services, Inc., Discovery Services Association, LLC, a/k/a Discovery Assoc. LLC, Defendants  
Request for Adjournment of Initial Pre-Trial Conference  
scheduled for November 13, 2020 at 3:00 p.m.  
Case No. 1-20-cv-06599 (RA)

Dear Judge Abrams:

This firm represents the Building Service 32BJ Health Fund, Building Service 32BJ Legal Services Fund, Building Service 32BJ Thomas Shortman Training Scholarship and Safety Fund, the ("Plaintiffs") in the above captioned case. The Defendants in this case are Discovery Services, Inc., and Discovery Services Association, LLC, a/k/a Discovery Assoc. LLC, (the "Defendants"). Plaintiffs believe the two Defendants are jointly owned and operated as one company. Plaintiffs brought this action pursuant to Sections 502(a)(3) and 515 of the Employee Retirement Income Security Act and Section 301 of the Labor-Management Relations Act of 1947 seeking statutory and contractual obligations to pay and/or submit monetary contributions and reports to the Funds.

The parties were required to file a joint letter with the court, with a proposed case management plan by November 6, 2020. Plaintiffs are unable to file a joint letter with court,

because the Defendants failed to contact Plaintiffs. The Defendants never responded to any of the Plaintiffs' emails or letters.

The Defendant named Discovery Services Association, LLC, a/k/a Discovery Assoc. LLC, was personally served with the Summons and Complaint at the end of August. That Defendant never filed answer to the complaint. Therefore, this Defendant is in default.

The other Defendant, called Discovery Services, Inc., has not yet been served with the Summons and Complaint. Attempts at service were made but were not yet successful. Plaintiffs spoke to the process server again this week about this issue. Plaintiffs believe this Defendant will be personally served with the Summons and Complaint, within the next ten days.

Due to this, Plaintiffs' respectfully request a three-week adjournment of the initial court conference in this case, which is now scheduled for November 13, 2020. Plaintiffs request the conference to be adjourned to the new date of December 4, 2020, or such other date that the court can provide.

By December 4, 2020, Plaintiffs will know if they will be asking the court for permission to file a Default Judgment against both of the Defendants, or against just the one Defendant, called Discovery Services Association, LLC, a/k/a Discovery Assoc. LLC. The total principal contribution amount claimed by Plaintiffs in the complaint was \$12,564.69.

Please advise if the court will grant Plaintiffs' request for the adjournment of the court conference to the new date of December 4, 2020. This is Plaintiffs' second request for an adjournment. Thank you for the court's time and attention to this matter.

Respectfully submitted,



Maura Breen

cc: Discovery Services Inc.,  
Discovery Services Association LLC,  
a/k/a Discovery Assoc. LLC

Application granted. The initial conference is hereby adjourned to December 4, 2020 at 3:30 pm. The parties shall file the joint letter and proposed case management plan described in the Court's August 21, 2020 Order, Dkt. 5, no later than November 27, 2020.

SO ORDERED.



Hon. Ronnie Abrams  
November 6, 2020